

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TYLER HULBERT,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner of
Social Security

Defendant.

CASE NO. C09-5141BHS

ORDER ADOPTING REPORT
AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation of the Honorable Karen L. Strombom, United States Magistrate Judge (Dkt. 28). The Court having considered the Report and Recommendation and the remaining record, and no objections having been filed, does hereby find and order:

- (1) The Court adopts the Report and Recommendation;
- (2) The Court **REVERSES** the Administrative Law Judge's ("ALJ") decision because the ALJ improperly concluded that Plaintiff was not disabled; and

1 (3) The Court **REMANDS** this matter to the Social Security Commissioner for
2 further administrative proceedings in accordance with the Report and
3 Recommendation.

4 DATED this 28th day of April, 2010.

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7 BENJAMIN H. SETTLE
8 United States District Judge
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